

THE NATIONAL MONUMENT DESIGNATION TRANSPARENCY AND ACCOUNTABILITY ACT OF 2010 (H.R. 5580)

## HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. NUNES. Madam Speaker, I rise today upon the introduction of the National Monument Designation Transparency and Accountability Act of 2010 which will ensure that any national monument designation is done on an informed basis and is accomplished through a transparent process fully involving Congress.

Pursuant to the "Property Clause", Article IV, Section 3, Clause 2, of the United States Constitution, Congress has the expressed power to "make needful Rules and Regulations respecting the Territory and other Property belonging to the United States." Through the Antiquities Act of 1906 and other acts, Congress has delegated considerable land management authority to the President. For example, the Antiquities Act, which was enacted in response to thefts from and the destruction of archeological sites, allows the President to proclaim national monuments on Federal lands that "contain historic landmarks, historic and prehistoric structures, and other objects of historic and scientific interest."

President Theodore Roosevelt first used the authority to create Devil's Tower in Wyoming. Today, there are 71 monuments covering approximately 136 million acres. While the Act has been used appropriately in some instances, it also has been abused.

For example, President Clinton, asserting that Congress had not acted quickly enough, used his authority 22 times to proclaim 19 new monuments and to expand three others; with one exception, the monuments were designated in his last year of office. They also totaled 5.9 million acres. Moreover, in the instance of the Giant Sequoia National Monument, they devastated the timber industry in Tulare County, California, and left an enduring legacy of double-digit unemployment and diminished communities.

As a life-long resident of Tulare County, I saw, and in fact still see, the devastation caused by that stroke of the President's pen. I well understand the anger and frustration that many of my constituents felt when, with no meaningful opportunity to provide input on this momentous decision, their lives and communities were changed forever.

Congress must not allow such abuses of the Antiquities Act to be repeated. Rather, if the Antiquities Act is going to remain law, it must be improved, particularly in the revelation that the current Administration might use the Act to designate monuments totaling as many as 13 million acres.

The National Monument Designation Transparency and Accountability Act of 2010 would provide the necessary improvements. It would also provide much-needed transparency to what is currently an opaque process.

It is important to point out that the bill preserve the right of the President to act quickly to protect national treasures that are under threat, but it ensures his or her actions are confirmed by Congress. Specifically, Congress would have two years to affirm the President's decision to protect the national treasure in per-

petuity. This will restore the balance between executive decisions and public input.

The bill would also require the President to provide notice and the actual language of the proposed designation to Congress, Governors, local governments, and tribes within the boundaries of the proposed monument. Additionally, it would require the Administration to provide notice of public hearings and allow opportunity for public comments. The President would then have to report to Congress on how the designation would impact local tax revenues, national energy security, land interests, rights, and uses.

These reforms would ensure the Antiquities Act is used appropriately and in accordance with its original intent. Any monument decisions would be made with all the pertinent information available, with full public participation, and Congressional approval rather than in the dark of the night and at the behest of radical environmentalists.

## HONORING THE GAY, LESBIAN, BISEXUAL, AND TRANSGENDERED ROUND TABLE OF THE AMERICAN LIBRARY ASSOCIATION

## HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. QUIGLEY. Madam Speaker, I rise today to recognize the Gay, Lesbian, Bisexual, and Transgendered Round Table, GLBTRT, of the American Library Association, the first professional gay organization in the United States, which celebrates its 40th anniversary this year.

Throughout its 40 years, the GLBTRT has worked to ensure information and access needs for gay, lesbian, bisexual, and transgendered individuals. In this welcoming and inclusive forum, they have worked to improve the lives of librarians, archivists, other information specialists, and library users who are part of the GLBT community.

The GLBTRT acts on many different levels to advocate for their community. Through their work in revising classification schemes, subject heading lists, and indices, the GLBTRT removes derogatory and hurtful terms. They also strive to eliminate job discrimination based on sexual orientation. Additionally, they promote education awareness of all library patrons by ensuring unrestricted access to information by or about the GLBT community. They also support other minority groups advocating for better representation and equal opportunity in the Association.

Madam Speaker, I ask my colleagues to join me in celebrating the anniversary of the Gay, Lesbian, Bisexual, and Transgendered Round Table and congratulating them on their successes and further efforts to reach equality in the library and information communities.

GOVERNMENT EFFICIENCY, EFFECTIVENESS, AND PERFORMANCE IMPROVEMENT ACT OF 2010

SPEECH OF

## HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 16, 2010*

Mr. WELCH. Madam Speaker, I rise in support of a practical, common sense bill: The Efficiency, Effectiveness and Performance Improvement Act.

This legislation will cut government waste by forcing every Federal agency to create a rigorous performance evaluation plan—and live by it.

Under this legislation agency heads will conduct evaluations of every program within their purview and report on goals to increase performance objectives.

The OMB Director will report to Congress on agency goals and suggested methods to improve program performance.

By forcing our agencies to create and adhere to strategic planning we will increase government efficiency and effectiveness.

As our deficit continues to grow, we must constantly strive to find ways—small and large—to get rid of government waste and inefficiency.

This bill does just that. I thank my colleague from Texas for introducing it, and I encourage my colleagues to support it.

## RECOGNIZING MASTER SERGEANT VANDIVER K. HOOD ON THE OCCASION OF RECEIVING A THIRD BRONZE STAR MEDAL

## HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. BUTTERFIELD. Madam Speaker, I rise to congratulate MSgt Vandiver "Van" Hood of the 4th Civil Engineer Squadron, 4th Explosive Ordnance Disposal Flight at Seymour Johnson Air Force Base in Goldsboro, North Carolina, on receiving his third Bronze Star. Master Sergeant Hood's actions while serving in Operation Iraqi Freedom saved the lives of his fellow servicemen and provided invaluable intelligence toward ending the ongoing global war on terror.

Master Sergeant Van Hood was born in Winston Salem, North Carolina on November 19, 1973. He was an extremely active young man. He participated competitively in soccer and swimming, leading him to varsity letters all 4 years of high school. Master Sergeant Hood graduated from Page High School in Greensboro in 1992 and joined the United States Air Force less than 2 years later on April 26, 1994.

Master Sergeant Hood was first stationed at Cannon Air Force Base in New Mexico. While there, he excelled, and won the First Sergeants Association's Diamond Sharp Award, was named the Master Blaster of the Year, and in 1997, was selected as Cannon Air Force Base's Airman of the Year. Master Sergeant Hood served at Cannon Air Force Base for over 4 years before being assigned to Ramstein Air Base in Germany.

After arriving at Ramstein Air Base in June 1999, then-Sergeant Hood was promoted to staff sergeant. He conducted explosive ordnance disposal testing on large caliber munitions as part of the U.S. Air Forces in Europe's, USAFE's, Projectile Attack Trials, yielding beneficial data for U.S. military efforts. While at Ramstein Air Base, Master Sergeant Hood won the USAFE Major General Eugene A. Lupia Military Technician of the Year award. Further, the unit he led received three "excellent" ratings on nuclear surety inspections. Following his 4 years at Ramstein Air Base, Master Sergeant Hood was stationed to Fort Dix, New Jersey, to work at the Air Mobility Warfare Center.

After arriving at Fort Dix, Master Sergeant Hood completed degrees in Explosive Ordnance Disposal and in Technology and Military Science. The latter afforded Master Sergeant Hood the opportunity to teach new airmen and prepare them for the rigors of the military.

Twice deployed to Iraq in support of Operation Iraqi Freedom, during his first tour, Master Sergeant Hood safely destroyed and recovered 164 improvised explosive devices, IEDs, unexploded ordnances, and weapons caches. Master Sergeant Hood led five separate missions where his team encountered enemy fire. On one such mission, he and his team were targeted with a rocket-propelled grenade, RPG. The RPG missed Master Sergeant Hood by less than 5 feet, but unfortunately struck a vehicle and injured a member of the Army's Quick Reaction Force. Master Sergeant Hood administered immediate medical care to the injured soldier and after support arrived, Master Sergeant Hood completed his initial mission. For this and other heroic efforts, Master Sergeant Hood received his first Bronze Star Medal.

Master Sergeant Hood was redeployed to Iraq as a Weapons Intelligence Team Leader in 2007. While there, he and his team successfully completed over 90 combat missions including 80 IED responses, recovery of several weapons caches, and serving in four named missions. One of those missions found Master Sergeant Hood and his team in danger of a radio-controlled IED. Through his quick thinking, Master Sergeant Hood immediately cleared the engagement zone from first responders and local citizens. He and his team were successful at rendering the IED safe, protecting local residents, first responders, and American warfighters. Master Sergeant Hood also designed a comprehensive curriculum on proper sensitive sight exploitation and conducted over 10 hours of training for the Iraqi Army Bomb Disposal Unit. His actions during his second deployment earned him his second Bronze Star Medal.

When Master Sergeant Hood returned to the United States, he received a promotion to the rank of Technical Sergeant. After nearly five years at Fort Dix, Master Sergeant Hood was stationed at Seymour Johnson Air Force Base in Goldsboro, North Carolina.

Master Sergeant Hood was at Seymour Johnson for less than a year when he deployed to Wardak Province, Afghanistan, to serve as leader for an Explosive Ordnance Disposal team. His third deployment to the region, Master Sergeant Hood again put himself in harm's way, saving the lives of his team and others. While on counter-IED operations, Master Sergeant Hood identified a hidden IED in rough terrain. Unable to remotely inspect

the IED, he approached the device in a bomb suit and successfully disabled the hazard. Master Sergeant Hood and his team were responsible for an area over 6,000 square miles. He was instrumental in safely resolving over 150 emergency response missions including 75 IED incidents as well as 16 weapons caches. For his outstanding and distinguished service, Master Sergeant Hood received his third Bronze Star Medal. When he returned from Afghanistan, then-Technical Sergeant Hood was promoted into the senior non-commissioned officer ranks as a master sergeant.

Madam Speaker, I am honored to share MSgt Vandiver Hood's story. He has bravely and selflessly served the United States for over 16 years. I ask my colleagues to join me in congratulating Master Sergeant Hood for having received three Bronze Star Medals. I also ask my colleagues to join me in thanking Master Sergeant Hood for his meritorious service to the United States.

#### PERSONAL EXPLANATION

### HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. YARMUTH. Madam Speaker, I was unable to cast the recorded votes for Rollcall 355, 356, and 357. Had I been present I would have voted yes for these measures.

BILL: H. RES. 1368—On Motion to Suspend the Rules and Agree, Rollcall No. 355—Vote "yes," H. RES. 1409—On Motion to Suspend the Rules and Agree, Rollcall No. 356—Vote "yes," H.R. 5502—On Motion to Suspend the Rules and Pass, Rollcall No. 357—Vote "yes."

#### THE PRIVATE PROPERTY RIGHTS PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT

### HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. SULLIVAN. Madam Speaker, I rise today to introduce H.R. 5582, the Private Property Rights Protection and Government Accountability Act of 2010.

Previously, the U.S. Constitution specifically limited government taking of private property through a relatively narrow exception for "public use." Public use has historically referred to roads, schools, firehouses, etc. You may remember the infamous 2005 Supreme Court decision, *Kelo v. City of New London*, where the court broadened the government's ability to take your home, farm, business or place of worship. The negative effects of this far-reaching Supreme Court decision place millions of private property owners nationwide at risk.

Some states are trying to correct this injustice and have enacted restrictions on the use of eminent domain, in this case, when the government seizes private property, with varied effectiveness. However, Congress has not taken action to restore private property rights and the abusive use of eminent domain has continued.

That is why I am introducing the Private Property Rights Protection and Government

Accountability Act of 2010. This legislation will restrict certain federal economic development funds for 10 years to any state or locality in which eminent domain is used to take private property for a private purpose. It will also allow private property owners the legal recourse they deserve to fight baseless private property takings by state and local governments.

Examples of eminent domain abuse can be seen across Oklahoma, from Oklahoma City to Muskogee, and throughout this country.

No family, business operator or place of worship is safe if the government decides that their property does not measure up, and that "public purpose" would be better served if it were torn down and replaced by something bigger, glitzier and more taxable. I encourage all my colleagues to support this important legislation.

#### RECOGNIZING TINA WALTER

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 23, 2010*

Mr. SHUSTER. Madam Speaker, I rise today to recognize Tina Walter, who has been selected as the Bedford Rotary Club's 2010 Citizen of the Year.

Tina Walter is an exemplary citizen of New Enterprise, Pennsylvania, where she has worked as an Emergency Medical Technician for 26 years. Mrs. Walter is a founding member and manager of the Southern Cove Ambulance Service where she presently serves as an EMT, CPR, and First Responder Instructor. She is also a highly regarded firefighter who serves as the President of the Board of Directors of the Southern Cove Fire Company. Mrs. Walter has helped secure over \$200,000 in state and federal grant funds by serving as the grant writer for the Southern Cove Ambulance and Fire Company.

Mrs. Walter has been married for 29 years to the Chief of the Southern Cove Fire Company, Brian Walter. She has two children, one of whom has a severe handicap and requires twenty-four hour care. Because of her schedule as an EMT and Fire Fighter, Mrs. Walter relies on friends and family to help care for her son.

In her spare time, Tina Walter volunteers in nursing homes, schools, service clubs and churches. She also helped form and is the current director of the Southern Cove Fireman's Choir, which is scheduled to sing the National Anthem during a Pittsburgh Pirates game in August. Furthermore, Mrs. Walter is currently spearheading a Rotary committee to bring the first annual "Bluegrass Festival" to New Enterprise in July of this year to benefit the Fire Company.

Tina's efforts and accomplishments serve to exemplify great service of self, service to family, and service to community. I commend those who have seen fit to honor Tina Walter as this year's Bedford Rotary Club's 2010 Citizen of the Year, and I too recognize and congratulate Tina Walter for all she has done.